
REMARKS

Claims 59 is amended, claims 1-8, 28-35, 46-51, and 88-98 are canceled, and claims 99-107 are added; as a result, claims 9-27, 36-45, 52-87 and 99-107 are now pending in this application.

Applicant cancels claims 1-8, 28-35, 46-51, and 88-98 without prejudice or disclaimer as being directed to non-elected embodiments. Applicant reserves the right to refile these claims in a subsequent application.

Applicant amends claims 59 and 77 to correct a typographical errors. These amendments do not narrow the scope of the claim and are not made for purposes of patentability.

Applicant amends the specification to include the serial numbers of the applications referred to originally by title and attorney docket number. Applicant also deletes the duplicate reference to attorney docket number 1303.014US1.

Election/Restriction

Applicant submits that the present application includes generic/linking claims. Specifically, applicant believes that claim 9 of Group II is generic/linking with the elected species Group VIII. Applicant requests that the Group II claims 9-16 be examined when the present claims are allowed.

Applicant further believes that claim 17 of Group III is a generic/linking claim with the elected species Group VIII. Applicant requests that the Group III claims 17-27 be examined when the present claims are allowed.

Applicant further believes that claim 36 of Group V is a generic/linking claim with the elected species Group VIII and Group III. Applicant requests that the Group V claims 36-45 and Group III claims 17-27 be examined when the present claims are allowed.

Applicant further believes that claim 52 of Group VII is a generic/linking claim with the elected species Group VIII. Applicant requests that the Group V claims 52-58 and 70-76 be examined when the present claims are allowed.

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Double Patenting Rejection

Claims 59-69 and 77-87 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 42-50 and 58-66 of co-pending Application No. 09/945,498. A Terminal Disclaimer in compliance with 37 CFR 1.321(b)(iv) is enclosed herewith to overcome these rejections. Applicant makes no admissions regarding the basis, appropriateness or validity of this rejection. Applicant files the Terminal Disclaimer to move the application to allowance.

New Claims

Applicant herein adds claims 99 - 107. These claims are believed to be supported by the specification and to read on the elected species. Consideration of the new claims is requested.

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Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 349-9587) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LEONARD FORBES

By his Representatives,

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Date

24 March 2003

By


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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 24th day of March, 2003.

Name

Amy Moriarty

Signature

Amy Moriarty

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